

REMARKS

An Office Action was mailed on March 21, 2005. Claims 17-20 are pending, after claims 1-16 were withdrawn. Claims 17 and 19 are the sole independent claims.

By the foregoing, all claims are amended. New claims 21-29 are presented. No new matters is added. Entry of the amendments and addition of claims is solicited.

Claims 17-19, including all independent claims therein, stand rejected under 35 U.S.C. §102(b) as being anticipated by non-patent reference EverQuest PC online role-playing game (EverQuest). Dependent claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over EverQuest in view of U.S. Patent No. 6,332,143 to Chase.

The present invention is a method of supplying program information and a method of editing program information for building a new program distribution mode using a network. Pg. 3, line 25 to pg. 4, line 2. Advantageously, this permits games, entertainment or the like to be produced by distributing band-width intensive information using a recording medium rather than a network, while distributing variable and changing information in easily transmittable files using a network.

Applicant believes that the previously claimed term "program" was misunderstood and now claims the same idea using "performances" to mean games, entertainment, moving images and the like as disclosed on Pg. 3, line 25 to pg. 4, line 2 and is intended to differentiate these vis a vis the confusion caused with the term "computer program."

The present invention also allows the information constituting the performances to be rapidly changed. Thus, as now claimed by all independent claims, especially claims 17 and 19, include the steps of permitting a performance information file, which affects a performance, to be downloaded by a user from a network and for the performance to be displayed in accordance with the performance information file. None of the cited references alone or in any combination teach, disclose, or suggest the claimed methods.

Support for the amendment changes may be found at least on pg. 46, line 19 – pg. 50, line 11, and the specification and drawings as whole.

EverQuest teaches an online role-playing game. EverQuest is silent as to a method of supplying a performance information file over a network so that the performance information file causes the program to selectively display a selected sequence from a plurality of sequences distributed on a recording medium.

The Examiner finds that EverQuest includes a game engine that updates the position of characters to provide movement in the game. Unlike the presently claimed invention, the game engine updates character positions only with respect to the flow of the game.

In contrast, the presently claimed invention defines the essence of the performance, such as a game, by providing a performance information file that selects the sequences that are to be displayed. For example, the performance information file defines a performance, such as a game world, rather than just add to the flow of the game. The game engine of EverQuest is incapable of selecting the composition of the sequences, i.e. the world, wherein characters move and are displayed.

EverQuest is equally silent as to a method wherein text is selected from texts contributed from a plurality of users so as to announce the text within the performances and adding the text the selected texts to the performance information file, which is downloadable by a user and is displayed.

The Examiner finds that text sent via chat in a game is equal to contributed text. Unlike the presently claimed invention, the text sent via chat is relative with respect to the flow of the game. The presently claimed defines the essence of the performance by providing a performance information file that defines the selected text with respect to the combination of sequences that are to be displayed. Text sent via chat is incapable of selecting the combination of sequences wherein the text would be appropriate and, thusly, displays all text.

All dependent claims are allowable for at least the same reasons as the independent claim from which they depend.

In view of the remarks set forth above, this application is in condition for examination and ready passage to allowance, which is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for examination or allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Hassan A. Shakir
Reg. No. 53,922
(212) 940.6489

CUSTOMER NUMBER 026304
Fax: (212) 894-5684 (direct fax)
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